

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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TREMAIN VERNON JONES,

Plaintiff,

Case No. 1:10-CV-568

v.

HON. GORDON J. QUIST

KENNETH SMITH, et al.,

Defendants.

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

Plaintiff, Tremain Vernon Jones, an inmate of the Michigan Department of Corrections (MDOC), filed a motion requesting transfer to a federal correctional facility for an unspecified period of time. On June 14, 2013, Magistrate Judge Ellen S. Carmody filed a Report and Recommendation (R&R) recommending that the Court deny Plaintiff's motion. On June 26, 2013, Plaintiff filed objections to the R&R.

Pursuant to 28 U.S.C. § 636(b)(1), this Court is required to review *de novo* those portions of the R&R to which specific objections have been made. The Court may accept, reject, or modify any or all of the magistrate judge's findings or recommendations. *Id.* After conducting a *de novo* review of the R&R, and having considered Plaintiff's objections, the Court concludes that the R&R should be adopted.

Plaintiff objects to the R&R because he believes he faces harm from other prisoners and MDOC officials. In support of his objection, Plaintiff states that MDOC officials have retaliated against him for filing the instant case and threatened him with physical harm if he does not drop the

case. He further states that certain prisoners have threatened his life if he does not drop the case. Finally, Plaintiff claims that he has been transferred to an MDOC facility where staff kill prisoners and then cover up the killings.

Plaintiff states that he is currently in an administrative segregation cell at all times for his protection. Thus, he is protected from other prisoners who may wish to do him harm. Moreover, he provides no evidence for his claim that the correctional facility where he is currently incarcerated is dangerous for prisoners, or that he is in danger from MDOC staff while in administrative segregation. Finally, the Court agrees with the magistrate judge's conclusion that it does not serve the public interest for courts to interfere with the day-to-day operations of a correctional facility when there is no evidence that an inmate is in danger.

**THEREFORE, IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge filed June 14, 2013 (dkt. no. 197), is approved and adopted as the opinion of the Court.

**IT IS FURTHER ORDERED** that Plaintiff's Motion for Transfer to a New Facility (dkt. no. 185) is **DENIED**.

Dated: October 3, 2013

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/s/ Gordon J. Quist  
GORDON J. QUIST  
UNITED STATES DISTRICT JUDGE